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A N  
APPLICATION  
OF  
POLITICAL RULES,  
TO  
GREAT-BRITAIN,  
IRELAND AND AMERICA.



[ Price One Shilling and Six-pence. ]

# APPLICATION

Of some General

POLITICAL RULES

PRESENT STATE

APPLICATION

OF GREAT BRITAIN

TO THE RIGHT HONOURABLE MEMBERS



Printed by J. Almon, opposite Burlington House,  
in Piccadilly. 1760.

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APPLICATION  
Of some General  
POLITICAL RULES,  
TO THE  
PRESENT STATE

O F  
G R E A T - B R I T A I N, *K England Aff-  
Hist & Politics*  
IRELAND AND AMERICA. II

In a LETTER  
To the Right Honourable EARL TEMPLE.

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*Clarissimi viri nostra civitatis temporibus optimis hoc sibi  
amplissimum, pulcherrimumque ducebant, ab hospitibus  
clientibusque suis, ab exteris nationibus quæ in Amieftiam  
populi Romani ditionemque essent, injurias propulsare  
cerumque causas defendere.*

Cicero. Orat. Contra Cæcilium.

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L O N D O N :

Printed for J. ALMON, opposite Burlington-House,  
in Piccadilly. 1766.

## APPLICATION

OF THE

POLITICAL BILLS  
APPLICATION

M. J. E. N. T. S. T. A. T. E.

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## APPLICATION, &amp;c.

My LORD,

**T**HE diffusive benevolence, and disinterested deportment, which have characterised your Lordship, through each private and public stage of life, points you out as the person most proper to be addressed, by a man, who is willing to lay open some errors in our policy, which require a speedy correction; you, my Lord, will extend your public concern beyond the confines of your native country, and consider every part of the human species, which has any connection with England, as meriting your care and patronage.

There is not, perhaps, any one point of view, in which we can behold this kingdom at present more truly interesting, than that of the relation which it bears to those people, who are connected with us, in a secondary \*, or kind of dependant nature; some

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\* Scotland without doubt, is united with England by the solemn act of both nations, but the fundametal difference of their laws is so great, and their manners and ideas of government so very discordant, that I must still behold them in the secondary light in which it is placed above.

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united,



united, but not receiving our municipal law, others receiving our laws after a struggle of many centuries, and others willing to make laws for themselves, had they a power to execute them. After a war, therefore, in which a constitutional exertion of our native strength has procured us at least a very respectable commerce, nothing can more justly merit our attention, than those nations, who, beyond the limits of England, form the several branches of the British empire they are numerous, they inhabit countries abounding in all the necessities of life, and fruitful of the materials of many of its comforts; but above all, these countries produce the *genus acre virum marsam pubemque sabellam*; their customs, nay, even their countenances, are British, after a series of generations; they have, in short, every title to the utmost care and regard of the mother country, which interest or affection should bestow.

The more heterogeneous the parts which enter into the composition of any body, the less capable of solidity and permanency will it be; the jarring of their natures preventing that intimate union and firm cohesion, in which the strength of natural and of political bodies does primarily consist. This compactness, once attained to, good laws and institutions communicating their spirit, give it that powerful momentum, which nothing  
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can resist; if then a kingdom, from circumstances of colonization or otherwise, must have a connection with other people, it is the duty and interest of that kingdom to assimilate these people with themselves, as soon as possible; if to be born and supported by them, the nearer they are drawn like armour or garment, the less sensible will the principal be of the burthen; if able to support themselves, perhaps assist the mother country, the more closely and naturally joined, the more capable like our limbs, will they be to help and be of service; and yet strange, although most certain it is, that the conquests and colonies of nations, who themselves have enjoyed Liberty, and are therefore more discerning of the advantages which it must bring to others, have generally felt more oppression, and have been less tenderly cherished by the conquerors or colonizers, than those of absolute monarchies. Thus we perceive, the conquered provinces of Rome, far from being displeased \* at the fall of the commonwealth and establishment of despotism. Whether this arises from the mean opinion, which conquerors for the most part conceive of the conquered, deeming them unworthy of, and incapable to make the proper use of Liberty, or from an hatred, im-

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\* *Neque provinciæ illum statum rerum abnuebant, suspecto senatus populiq[ue] imperio, ob certamina potentium et avaritiam magistratum*—Tacit. 1. Annal.

pressed by their obstinacy when an enemy, I cannot determine : however, am inclined to believe, that upon the first reduction of them, the conquerors dared not trust them with Liberty; but upon removal of these apprehensions, by length of time and other circumstances, they ceased to be actuated by the proper motive of conquest; the mighty masters themselves, degenerate and corrupt, lose that benevolence which should share the blessings of a free government with their fellow creatures; nor are they impelled by a desire of serving the human species, in being the instruments of the Almighty, in restoring it to the exercise of a rational, and since the gospel dispensation, a christian well-tempered Liberty : and this, with self-defence, which suggests conquest by way of prevention\*, are, in my opinion, the only principles upon which a conqueror can by any means whatsoever be justified. If they consider the hearts of those who have the misfortune of falling under their domination, as too narrow for the entertainment of the noble and elevated sentiments of Liberty, and compare them to weak stomachs, which may be clogged and disabled by solid and substantial food; or an eye, which long used to darkness, unexercised by real objects, nothing presenting but figures and fancies of

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\* *Cui potestas nocendi exipitur utiliter vincitur.*

Aug. de Civitate Dei.  
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its own creation, and which may be disordered, perhaps destroyed by too sudden an infusion of a strong light; then should liberty be portioned out to them by degrees, according to a judicious and strict political regimen, previous to which it is the duty of the conqueror to enlarge their understandings, meliorate and prepare their hearts, for receiving this plant of *cælestial seed*; otherwise are they left in a worse condition than before, and all the boasted encomiums of their masters upon liberty, and those blessings which their constitution affords, are but blinds to carry on their designs, with vile views of lawless dominion, and of a commerce whose objects are avarice and luxury.

To a person who considers the ends of conquest in that extensive, give me leave to add moral and religious light, in which I am well assured, that your Lordship beholds every political matter; it must be evident, from the acknowledged goodness of the Creator, that the happiness of his creatures was the end of their formation; and that in order to give these creatures an opportunity of rendering themselves more grateful to him, it is placed within their power, by a proper exercise of their faculty and freedom of will, to be the meritorious instruments of making each other happy. One man has it in his power to serve his neighbour, the neighbour gives his assistance where it is wanting:



wanting: one nation supplies by commerce where another is defective, and is relieved in its turn: the conqueror gives to the conquered, arts, sciences, laws, manners; and receives from the conquered, numbers, friendship, additional strength; thereby forming a more powerful community, secured against external violence, quiet in the cultivation of useful knowledge, and in the practice of every moral virtue. It is difficult, I will confess, for a people, who behold themselves superior to others in arts, in arms and industry, not to give way to an over favourable opinion of self; and not to bear an haughtiness of deportment to those, whom they look upon as so far beneath them: this may be excused, it is true, and charged to the account of human frailty in the uneducated, uninformed part of a people; even there, it were better if otherwise, and it is the duty of the leading men in such a state, carefully to suppress by authority and example every appearance of insolence; because, no other things, not even superiority of wealth and power, can create such a degree of jealousy in their neighbours; strangers wish for an opportunity of humbling their pride; their own provinces are at best but indifferent whether they stand or fall, and are often dubious, whether a change of master may not turn to their advantage. Surely then, my Lord, a nation happily circumstanced from situation,  
from



from climate, from a favourable temperature of mind and body, (all which unjustly attributed to chance, are produced by a chain of causes framed by providence for good and wise purposes) a nation thus distinguished by heaven, should not look upon these advantages as bestowed merely for their own sakes, and their effects to terminate within the narrow compass of England or of Italy; they should behold themselves in no other relation of superiority, than as instruments of promoting real knowledge, pure religion, and virtuous liberty; the three most desirable objects of human pursuit, and which perfected and refined form permanency, substantial, and rational happiness. The power, therefore, which misapplies advantages thus derived from the supreme Being for the above purposes; who thinks each country, whose inhabitants they can out-number or out-discipline, a new source of luxury to their dissipated, effeminate, immoral nobility and gentry; who treat their allies and colonies as ministers only to their pleasures and profusions: the dominion of such a people can be but of short duration; because its existence, and the general scheme of providence, are incompatible: their insolence confirms them that other countries are made for their sole use and gratification; this leads to luxury, to debility, to security; so by natural causes, as clear as the laws of motion to the man who

who closely observes the political effects, which gradations to vice in those individuals constituting a community, have always produced ; this nation's ruin must be accelerated : it must give way to superior virtue ; from which a completion of the designs of providence may with more reason be expected. These ideas of the ends of conquest, however ill suited to the refinement of the age we live in, may I doubt not stand the violence of modern ridicule, if fortunate enough to merit your Lordship's sanction ; and here, however dissatisfied with myself, when varying in opinion from so respectable a writer as the Baron Montesquieu, yet must I declare, that the applause bestowed upon the spirit, with which Alexander conquered the Persian empire, by that great politician, seems founded upon notions of conquest, which arise rather from false glory and ostentation, than any real utility to the human species ; else would he never have panygerized that hero for renouncing the sober, manly, virtuous manners of Greece, and adopting the soft and luxurious manners of Persia ; and to what end ? why, thro' an excess of tenderness to the vanquished. This I will venture to say may be better accounted for by the sudden turn to pleasure, which that young hero had taken, and his love for the fair Asiatick princess, than upon any principles of uncommon humanity ; and

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it is submitted to your lordship, whether his humanity would not have displayed itself to greater advantage, by bringing over the Persians to the discipline of his own country : it being most certain, as he himself has observed, that such nations, as have the misfortune to be conquered, are for the most part degenerated from their original institutions \*, rather served by destroying their pernicious prejudices, and laid by conquest under an happier genius ; so that leaving a nation to its own bad laws and customs, which are often a disgrace to humanity, is like leaving a wayward child to its own bad humours, when wholesome correction should be administred, in order to reform a nature, perhaps originally vicious (being born in sin;) and as it is the duty of a parent, whom experience, education, and a mild and moral religion has qualified for the task, to bestow them on his offspring ; nay, to use severity, if found reluctant to his discipline : so is it of a conquering nation, enlightened by literature and pure christianity, to offer to the conquered a better set of manners than their own ; and if rejected, by proper political constraints, where the idea of cruelty is totally excluded, compel to receive them, and become happy.

The moderns, to whom christianity has given great advantage over the antients in that

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article

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\* Montesquieu l'esprit d'loix, lib. 10. chap. 14.



article of rendering service to human nature, by their power and influence, have propagated their religion, I mean the Catholick sect, with a view only to empire and profit : they propagate religion with a design of making it, by the assistance of their priests, an engine of dominion, rather than *a light to enlighten the Gentiles* ; and infuse so poisonous a mixture of wicked and superstitious prejudices into the chalice, which they present to the innocent deluded natives, whom they have subdued, or set down amongst ; that instead of being invigorated and filled with the spirit to perform good and christian works, they become intoxicated by the draught, and are entirely lost to any notion of the charities. The Protestants agree in considering trade as their ultimate ; but in matters of religion are so cool and indifferent (except in one of our American colonies) that they look upon religion as a plant, which must rear itself for them, or absolutely perish, and scandalously remiss in the business of reclaiming their savage fellow-creatures, to which end alone providence has vested them with such ample powers, think themselves totally acquitted of doing no sort of good by the aid of religion, they can withhold themselves from making it the instrument of evil. Such is the abuse of these advantages, by the nations of Europe who are favoured by heaven, and as it were intrusted



intrusted with the care and instruction of the yet uncivilized part of the globe. The Jews, once a chosen people of the Deity, perversely refused the light of the gospel when offered; the nations of christendom, who seem elected to be the dispensers of the true religion, either neglect to let in the light upon their fellow-creatures, or throw in such a glare of superstitious pageantry, as must dazzle, or entirely darken their understandings.

It is not pretended, that when enterprizes are set on foot, when discoveries of new countries are proposed, that undertakers can be sufficiently animated by the deliberate moral motive which I have insisted upon. Velasco d' Gama, with the other Portugueze adventurers upon the coast of Africa, whilst they were erecting crosses wherever they landed in honour of christianity, by the acknowledgment of their own historian, De Faria, received the real spur to enterprize from a desire of gold, and other materials of trade: as did, with some addition of a love of fame and glory, the English navigators, Raleigh, Drake, and others. The thoughtless seaman and foldier, must have a mere sensual object for his end. But it is the duty of the cool speculative statesman, to dart his eye beyond the surface; and to manage in such a manner, that not only his own country, but the human species, shall

receive moral benefit, from the passions and propensities of individuals.

The general obligation by which the civilized parts of the globe are bound to communicate morality, religion, arts and sciences to the rest, and consequently liberty the root of all, (for absolute constraint even to good, puts a negative upon any merit in the action;) I say, my Lord, this general obligation had almost drawn me from sight of my particular subject, which was contracted to the ideas of that bad policy in free states, which have treated their allies or colonies with severity; who have been remiss in preparing them for liberty, and when prepared, who have refused to bestow it on them.

The Romans were brave, they were wise (in spite of Grecian romance), they were virtuous above all other nations; yet were they far from perfection in that part of their policy which related to their allies. It is not the lot of mortals. They entertained notions too exalted of their own merit; and it was with great reluctance, that their neighbours were received into any kind of equality with them; witness the indifference of Romulus, in revenging the death of Tatius\*, upon the Laurentes, which had a  
face

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\* Eam rem minus agre quam dignum erat tulisse Romulum ferunt, seu ob infidam societatem regni, &c.  
post

face of connivance, if not of having been an accomplice in the murder. The vigour, indeed, and courage, with which the Samnites and other Italian states so long defended their independency, was enough to create a jealousy in the minds of the Romans; and we therefore see that it was not, until enemies of greater size and danger had obliged them to form their armies out of these states, that this jealousy abated. Yet, to the last, the center being the post of strength, always consisting of the legions and the allies, placed upon the flanks; this military institution, rigidly observed, prove, that they continued to entertain some doubts, either of the fidelity or capacity of their conquered friends. But as luxury increased, and the apprehension of foreign enemies vanished, their antipathy to the allies became more visible; all notions of that equality, so essential to the very being of republicks, was intolerable; and lords of the world themselves, they would lord it over those who so powerfully contributed to make them so; arrogating the merit of every acquisition made by the states: the profits they also seized upon, by monopolizing the conquered lands, in direct opposition

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post Tatii mortem ab suâ parte non erat regnatum in societate aquâ.

Romani veteres peregrinum regem aspernabantur, liv. i.



opposition to the old, but not abrogated Licinian law. Thus would they exalt themselves above their fellow soldiers, for no other reason, that we can discover, but that of being born nearer the Tyber, or within sight of the Capitol. The allies were disgusted, and with reason; the Mani, the Peligni, over whom, or without whose assistance Rome never had triumphed, beheld these acts of insolence with the warmest indignation; they demanded that freedom of the city, to which their services had intitled them; they were supported in these demands by Mummius \*, Bestia, Cotta, some of the most respectable names of Rome; the second Africanus, who was an eye-witness of their bravery, assisted them with his credit and interest, and lost his popularity amongst the old citizens, by an act of the greatest equity. These last the Patricians had gained, by raising jealousies in their minds against the allies and their abettors, and were most effectually supported by the order of knights, at that time the most profligate body of men that ever disgraced a community; yet, formidable in the possession of a judicial power in cases of bribery, corruption, and misbehaviour in publick office. What the allies could not obtain by the intercession of such

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\* Vide Appian, on the civil wars of Rome, where he treats of the causes of the social war.



great and virtuous men, they fought by force. A war broke out; the greatest Roman generals, Sextus, Cæsar, Crassus, even Sylla and Marius, yielded in their turns to the bravery and conduct of a Judacilius, an Egnatius, a Cato; so bloody was the war on the side of Rome, as to produce an ordinance, that the killed in battle should be buried on the spot, and not brought into the city, lest the numbers of dead bodies should intimidate the people; they armed their freedmen, a step never taken, but in cases of the greatest emergency. At length, obliged to divide the allies, they granted to those, who had not appeared in arms, the freedom of the city; by this stroke of policy did they confirm the wavering, give hopes to those who had declared against them, of obtaining the same, loosened the ties of the confederacy, and blunted, in a great measure, the edge of animosity. From the day on which the Julian Law was passed (called so from Sextus Julius Cæsar, who enacted it) the arms of the republick were more prosperous. However, the war continued even under these circumstances of disjunction, so unfavourable to the allies, until they carried their point; and all the Italian states, the Lucanians and Samnites themselves, names hateful, and let me add, terrible to the Romans, were at length admitted to their freedom.

Thus

Thus, my Lord, does it appear how fatal the pride, the avarice, the ambition, the arrogance of Rome, had nearly proved to the very being of their commonwealth ; how an affectation of being select, how a disdain to mix, to incorporate with their countrymen, and thereby to strengthen the whole, had almost produced a total obliteration of the Roman name ; and how Rome, by disregarding these ends of conquests, for which I have before contended, by endeavouring to engross all, were put to the utmost stretch of policy to secure any. If the Romans had frankly shared their privileges with the allies, upon the footing they afterwards granted them, had they done it with an air of good-will, then would they have avoided this dreadful war; and the new citizens entertain no distinction in their minds between themselves and the old citizens, they would have considered the riches, the splendor, the glory of Rome as their own ; they would feel her misfortunes, and rejoice in her prosperity ; and they would have maintained a superiority in the love, gratitude, and respect of the new citizens, though not by the laws and constitution : in short, the allies would suffer Rome to govern, but not admit her right of doing so. But the very bad grace with which these immunities were ceded, extorted as it were by force, a series of indignities ; such as turning them out of the city during  
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the time of elections, with the strongest expressions of contempt, had so disgusted these high-spirited people, and so alienated their hearts from their fellow citizens, that we behold them ever afterwards stimulated by a remembrance of such severe treatment, to give their votes against the Patrician party, whether in the right or in the wrong, and forced into the arms of every ambitious disturber of the public tranquillity. I will admit, that the party of whom I now speak, did in the end, by supporting Cæsar, rivet the chains of Roman slavery; yet must it be insisted upon, that the proud Patrician did kindle and blow up that fire in which these chains were forged; they who should have wisdom to foresee the bad effects of injuring a brave people, in whom moderation should have been a check upon avarice and insolence, whose sagacity should have pointed out to them, how unreasonable that they alone should share the conquered lands, and enjoy the spoils of a plundered world. Men who would not see these things, could not with reason complain, if those who suffered this unjust exclusion from their immunities and rights, were not so philosophically temperate, as to be always in an humour to forgive and reject every preferred occasion of being revenged. Who, my Lord, should be wise in a country, if that body of men are not so, whose fortunes, whose stations, furnish lei-

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sure,



sure, with all the other means of acquiring useful knowledge, and of improving their natural talents to the utmost perfection of which they are capable? To what end the difference of wealth and power between them, and any other two legged animal in the community? Why that difference maintained by this community, unless for the good of the whole? God never gives so unequally for the possessor's sake; he designs this inequality as the root from which that subordination springs, which is to produce publick convenience and tranquility. Should not then these men, in whose power it is so happily placed to subdue their passions and refine their natures, avoid every occasion of raising animosity and disgust in the minds of their countrymen? Should it not be rather their glory to bear with their intemperance? This surely is more commendable, than to practise upon their weakness, wanton in their misfortunes, and instead of lightening, add to that burthen, which their superiority must always lay upon a people whose labour and industry must support it.

The Italian allies were never wanting in respect to Rome; even when brought to the lowest extremity by Annibal, very few of them having joined the Carthaginians from choice; Capua, indeed, so naturally disposed to vice, that she outran her mistress by at least a century in the race of corruption.

tion. She it is true most cordially went over to the enemy; but in general, considering the great distresses of the commonwealth, the faith of the allies was wonderful; and tho' keeping pace with Rome in all her conquests, such was their modesty, as never to think themselves on a level with that metropolis, until her citizens were fallen from virtue. They acknowledged her superiority, till she no longer knew how to govern herself; and when the states of Italy had arrived at an equal perfection with the Romans in arts, in sciences, in arms; when their manners were the same, their ideas of liberty as enlarged; when their language yielded not to that of Rome, except, perhaps, in smartness of pronounciation, or some quaint turn of phrase; when their strength of numbers to be employed in extending their conquests, or securing those already made, were by no means inferior; why should they not be admitted to a share of government? Why not enjoy the fruits of their toil and hazard? Why not be intrusted with the care of Italy, of their own liberties and properties? It is not from being born within the same narrow district that the identity of country arises? Country, in the great sense of the word, admits no limitation from extent of territory, or number; none but want of contiguity, want of a similitude of manners, interests, and objects of happiness.

piness impose ; for these are wants which  
 may cause an unweildiness in exercising the  
 members of the political body; to feel for  
 the safety, the prosperity, the glory and li-  
 berty of the same country, is what consti-  
 tutes us countrymen and fellow citizens :  
 the safety of the Roman name, its laws,  
 its customs, wherever dispersed by colony, or  
 otherwise, was the care of every Italian at  
 the period I now speak of ; and he who  
 had these warmly at heart, was surely en-  
 titled to all the privileges of a Roman citi-  
 zen. Had it been the evil fortune of Rome  
 to have Carthage or Macedon to contend  
 with, when they had so unreasonably pro-  
 voked their allies; what a weight would  
 these warlike nations have thrown into the  
 scale of the enemy; they would have felt as  
 sorely as Carthage did from the resentment  
 of their absurd African neighbours. Hap-  
 pily for them no combination was able, at  
 that time, to stand before that plan of power  
 which their virtuous ancestors had formed.  
 The civilized part of the world, Asia and  
 Greece, were impatient of the yoke, but  
 abject and enervated ; nor had the northern  
 nations entered into these defensive associa-  
 tions, which soon becoming offensive ter-  
 minated in the destruction of Roman tyran-  
 ny. Europe was not at that time digested  
 into states, whose smaller policies bore a re-  
 spect to the grand policy of the whole; it  
 did



did not share one common military discipline as at present; nor was every country watchful and attentive to each movement of its neighbour; no compacts made for checking the growth and prosperity of any power which was hated or feared. Had that been the case, the Roman senate would never have given cause of complaint to their subjects; on the contrary, it would have grappled them closer by every endearment of friendship and affection; and altho' lost to virtue and sound policy, Rome would have regarded its present immediate interest and preservation, and never disobliged a people, whom nature, by proximity and other circumstances, had destined to be a part of themselves.

There are no historical corollaries more certain, than that all states, who have extended their empire by colony or conquest, and who are not disposed to unite these countries with themselves after a sufficient preparation, must employ governors in these countries whose every motion cannot be closely watched; that as the principal country comes to lose its virtues, an indifference, at least, about the interest of provinces must ensue.

That these governors are seldom troubled with any inspection of their conduct, or any after-reckoning; because each leading man, expecting one time or other to exercise the  
same

same office, in order to secure himself against future punishment, will not establish a precedent against himself by condemning another; thus emancipated from fear, each governor improves in the abuse of power, until a system of abuse comes at length to be finished and entire; and this is handed down as a rule of government to all who succeed to the office; they wish not to amend the laws of the province, nor the manners of the natives; they plunder the inhabitants under the cover of laws, to which by an artful delusion they are brought to give their assent; for they enter into a composition with some of the principals of the country, who by a smooth address, and the sly arts of popularity, find means to glide into the easy confidence of the people; and these, in consideration of a very trifling part of the spoil yielded to them by their haughty employer, undergo the drudgery of securing the rest to him.

Rome, the authority to which I shall ever recur in political reflections upon free states, (for to trace out the mind of man in the history of arbitrary governments, where each individual acts under constraint, would be to delineate the movements of the human body, from observations made upon convulsionaries.) Rome furnishes many instances of governors, prætors, proconsuls, who have scandalously pillaged the unhappy provinces

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committed to their charge ; and it abounds with instances of a shameful failure of justice, when these delinquents have been impeached by the deputies \* from the provinces ; it was upon the acquittal of Cotta Salinator, and Manlius Aquileius himself by the senate, and this in direct contradiction to the strongest evidence of guilt, that the cognizance of the crimes of extortion, and others of a public nature, was transferred from the Patricians to the order of knights ; and tho' an institution of the younger Gracchus, yet do we find Cicero † lamenting the revival of this part of the senatorial jurisdiction, by Sylla. In such low estimation was the justice of a Roman Senate at that time ; and such an interest had Verres established by the force of gold, that if the zeal and great talent of Cicero had not so powerfully interfered, bribery, together with the prostitute eloquence of Hortensius, would

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\* If the people of Sicily had been represented in a general assembly, it is probable that Verres would have escaped unpunished, as his money might have procured him a majority in that assembly to sanctify his conduct ; but unfortunately for him, each city had its assembly and a power of remonstrating singly before a Roman Senate ; nor could such a wealthy, useful town as Manchester be precluded from justice by the vote of a corrupt representative of an old Sarum.

† *Judiciorum levitate ordo quoque alius ad res judicandas requiritur. Oratio contra Cæcelium.*



would have procured him his own friend Cæcilius for his accuser, who was, without doubt, an accomplice in his villainies : so difficult is the task of keeping governors of provinces within the bounds of duty ; so difficult to find a tribunal, whose integrity shall answer to so arduous a task ! But when we consider how much further than the particular sufferings and discontents of the province, the certain bad effects of an unjust, rapacious conduct of the governors of provinces must be felt, our apprehensions for the safety of the principal country takes the alarm ; when we consider that these governments afford the most plentiful sources of luxury ; that the means of gratifying the ambition of private men, nay, that ambition itself has for the most part its origin, in elevating and habituating any member of a community to a kind of temporary dominion, as viceroy or procursul ; when we reflect upon the number of bad subjects, of wicked destroyers, of public tranquillity or liberty, which has been made by a fatal exaltation of individuals in free states ; we cannot hesitate one moment, in determining to suppress every necessity of raising a subject to a condition, in which he might believe himself a king ; and to cut him off from any opportunity of amassing such superior wealth, as may, by bribes or evil example, enable him to debauch the morals, and

and destroy the love of liberty in his fellow-citizens. It was not until Cæsar had been ten years at the head of legions in Gaul, that he disdained to bear a superior in the common-wealth; he never would have plunged into a debt of 170,000*l.* had he not the hopes of repairing his shattered fortunes by the plunder of some rich province; and without the plunder of his province he never would be able to bring over the tribes to his interest, and influence all elections; so far removed as he was from the scene of intrigue; and if it was not for the unmerited honours heaped upon Pompey, the scandalous adulation of the Patricians, and the amazing power conferred upon him in the war of the Pirates, he too might have endured an equal in the common-wealth. In short, my Lord, it requires, I am sure, something more than modern virtue to stand against the intoxication of power, to look with temperance upon great wealth, and not to apply that wealth, when occasion shall present, in obtaining an unconstitutional influence in a free state; it must then of consequence be the duty of legislature, to reduce the means of acquiring disproportionate wealth, or alarming power, which cannot be better effected, than by consolidating, as far as circumstances will admit, all the parts of an empire; this will supercede the necessity of many governors,

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who, unable to reconcile themselves to that face of equality which liberty requires, are wonderfully zealous to work its total destruction ; and this palpable advantage must follow, that when the parts of an empire have all the same legislative as well as executive government, the intercourse between the head and the members will be more lively, and things will not pass thro' the medium of corrupt, indolent, or ignorant viceroys, where truth meets with many delays, and is oftentimes totally obstructed.

Contiguity of situation, or a strong likeness of manners and customs, one of which nature alone can furnish, the other attainable to by political industry and address ; either of these are so powerfully essential to union, that without one or the other, it is not supposed that union can possibly take place ; and when union has taken place, it never should be clogged by partial circumstances, but be as entire as possible ; otherwise it will be a cause of weakness, and not of strength. To apply these doctrines, first to the case of Scotland, from the accession of James the sixth of Scotland to the throne of England, until the solemn act of union. Scotland bore the same relation to England, that the states of Italy did to Rome, before the social war had produced a grant of the immunities of the city to these states, and altho' the British union was not obtained by force



force as was that of Italy, yet the apprehensions (during a bloody war with France, a pretender to the British crown in being, strongly supported by the most enterprizing prince in Europe;) of those Highlanders whom Godolphin had armed, did certainly determine that minister to bring about an union, and thereby remove all danger from that quarter; so that neither the Italian nor British union was the effect of mutual good will; exclusive of other motives, we see convenience, present expediency, and several other causes interfere; be that as it will, the event having taken place, all measures for producing that likeness and cordiality, which is the strongest political band, should be pursued by every honest man; and to this we are warmly admonished by the example of Rome, where a want of affection between the new and old citizens threw the weight of the former into the scale of every corrupt party which arose in the state, and attached them, not to their country, but to a Marius, a Cinna, or a Cæsar.

Had the same gothick spirit prevailed, which made wars and conquests the sole end of taking up arms, then may it with injustice be said (however parradoxical it should appear) that Scotland, in a state of separation from England would be more useful than united as at present; for it would have kept

England alert, and attentive to war. The privileges enjoyed by the inhabitants of the marches, shewing how necessary their presence to guard our frontier against this war-like neighbour. But England, secured from the north-east by the declension of the Danish power; and having a barrier to the south, in its possessions upon the Continent; would have sunk into \*indolence and effeminacy, had they no enemies within the island; and it is to their wars with the Scotch and Welch, that they owe the bravery and discipline of those armies, which throw such a lustre upon the reigns of our Edwards and Henries, by their glorious atchivements in France. England, as well as all Europe, is very differently circumstanced from what they were in the days of our plantagenets; the spirit of our age is truly commercial; the advantages thence arising, are found to be more real and substantial than the glare, the tumult of conquest and triumph. War, from being considered as an end, is happily dwindled into the means; and nations, when they conquer, do it rather with an eye to reparation or diversion, than with a design of retaining the conquest. Our great extent of coast,

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\* Is hostis velut natus ad continendam inter magnorum intervalla bellorum Romanis militarem disciplinam erat: nec deerat unquam cum iis vel materia belli, vel causa; quia propter domesticam inopiam vicinos agros incurfabant, Liv. lib. 39.

our luxuriant production of all the capital materials of trade, form a stronger commercial incentive than any of our neighbours can feel. If Scotland, then, instead of being united with us, stood connected with France by alliances founded in the early periods, upon reason and self-preservation, engaged by her interest to be ever ready in joining to reduce the strength of her formidable neighbour, she would be able most powerfully to divert our attention from manufactures, from exportations, and our navy; not having within herself many inducements to commerce, war would be her trade, as it is that of Germany; and it is evident from the great success of Prussia against the House of Austria, how small a number of inhabitants whose reigning passion is for war, may furnish matter of heavy embarrassment to a very numerous and wealthy people. Yet, sensible as I am of the great advantage it must be, both to Scotland and England, that their union should be close, cordial, free from all jarrings and jealousies as possible, still must I speak with freedom some thoughts which arise, not from want of a due regard to the merit of that country, but with a view to reduce pride, vanity, prejudice, or whatever else may obstruct that salutary scheme of close friendship, which is indisputably the interest of the whole island—First of all, I am far from considering that people, however



ever respectable the individuals may be for their prudence and personal bravery, in so principal a view as their own writers are pleased to do, and amongst the rest, the author of an extraordinary paper, dated at Edinburgh. Writers of the polemical class, feel a higher glow of imagination than can be uniformly consistent with strict truth; passion and party are apt to raise their colourings somewhat higher than any thing we behold in nature. Scotland, from its contracted territory, poverty of soil, and small number of inhabitants, was ever under the necessity of resorting to a foreign alliance, in order to procure to themselves, as a people, any degree of consequence: as an enemy, they must be looked upon, therefore, in a secondary light, they are not in the same rank with the Gaul and Carthaginian, but to the Samnite, may they with great justice be compared. Their alliances with Ireland, enabled them to disturb the ancient South Britons, and alarm the Romans when settled in this island. But, it is well known, that since the coming in of our Saxon ancestors, with the trifling number of 1600 men, to the aid of Vortigern, against the Picts, the Northern Britons\*, never presumed to do more

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\* As to my purpose, it is quite indifferent whether the present Scotch, are a mix'd breed of Picts and Scotch, or whether the Picts were totally eradicated, since both were equally

more than peep into England, until the Norman conquest; when the English, who were stripped of their estates by William the first, carried their discontents into Scotland, and encouraged that people to reassume their disorderly inroads into Northumberland. Our possessions upon the continent, fixed a kind of natural enemy in the king of France, to whom the Scotch very politically attached themselves, and drew from that source a consideration, to which they could not otherwise possibly attain; and when we consider the English as a people compounded of Saxons and of Normans, descended on one side from nations who had destroyed the most powerful empire the world ever beheld, whose name alone was sufficient to retain the Pict within bounds; and who so bravely withstood the Danish force, not the attacks of roving pirates, as is vulgarly supposed, but a steady, well conducted, invasive war, supported by the maritime powers who inhabited the northern coast of Europe, from the mouth of the Elbe, and so along both shores of the Baltick; when we view them descended, on the other side, from Nor-

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equally terrified by the Saxon power; during some of the distractions of the heptarchy, they sometimes ventured into Northumberland; and once leaguings with the South Britains, under their king Aidan, they were for a moment successful against Ceaulin king of Wessex-  
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mans, the conquerors of the finest province in France, and establishing kingdoms, at their will, through Europe; when we consider themselves the posterity of these celebrated nations, as the conquerors of all France, and arbiters of Europe, absurd and ridiculous must be that degree of vanity, which assumes any pretensions of superiority, in valour, or any other species of merit, over such a people.

But as to notions of civil liberty, for which that writer appears so much to have valued them, it is in that point, I think them principally defective: love of liberty does not entirely consist in resolving to maintain independency of a foreign power, there are many other essentials to a true love of liberty; because, a nation may be very free from any influence from abroad, and yet totally enslaved at home; the lords and leading men of such nation, may labour to guard their country against strangers, with no other design, but that of securing the benefit of its vassalage to themselves; so that publick spirit, may possibly have no concern whatsoever in any of their actions; and really, if any thing can sink the Scottish nation so low, as inaptitude for a compleat junction with England, it is the little relish they have ever shewn for the true blessings of liberty. He who would infer the contrary, from the resistance so often given to  
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their kings, would make the most fallacious inference in the world ; for many oppositions to kings, have proceeded from a partiality to the domination of the heads of clans, the worst species of slavery, and not from any desire of being free. Scotland has destroyed many of its kings, it is granted, but not with an eye to promote the cause of liberty ; let it appear, that the Scottish insurrection had ever any such tendency ; that they ever attempted to discharge, from the minds of the people, their slavish prejudices, or stupid adoration of their lairds, that they ever wished the blessing of liberty should extend to every individual who deserved it ; in short, that previous to the union, they ever seriously thought of destroying their heritable jurisdictions ; let these appear, and Scotland's claim to a love of liberty, shall, with her many other well-grounded claims to merit, be most willingly admitted.

Reasons may be drawn from the original formation of the Scottish government, why they have been particularly slow in their approaches to liberty ; but some observations upon government in general, and upon the difference between the old and more modern Celtick forms in particular, must necessarily be promised. The end of social association, is the preservation of those individuals who compose it ; in a state of nature, the preservation of single self is the

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sole object; no regard to numbers or country, is supposed to countervail this first consideration; we, in that state, owe nothing to numbers or country, and nothing will we pay. But from the moment that a community is established, to self-defence, as a primary object\*, that of a nation or aggregate of individuals is substituted; and it is not from the good of any particular, but from the good of the whole, that the rule of action must arise. In this state of society, the idea of preservation, from being more extended, becomes more complicated and difficult; and to those who do not seriously attend to the ends of government, and the substitution of that general good which has taken place, to the particular good which before prevailed; single self-preservation, is ever pressing upon their minds; and cases frequently arise, where partiality to self, and inattention to publick order and convenience, hinder us from acquiescing, but with reluctance and dissatisfaction, under the most wholesome regulations. In general, the reasonableness of giving up our private opinion, though we should sustain a damage, is pretty apparent; but some particular incidents there must be, where it is not so apparent; for instance, where the dignity of the executive

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\* For though self-preservation is the first law of nature, it is not so of society.

power of a state, seems not to consist with the civil liberty of the subject; here the wisdom and penetration of the expounders of law is called forth; here the arduous task of securing a part from suffering, without endangering the whole; and the important question comes into agitation; Whether the luxuriances of liberty, wild and beautiful as they appear, but often pernicious to the fruit of good government, shall be lopped and kept under? Or whether too great a hazard of destroying the stock, may not ensue the operation, and some abuses of liberty be more prudently submitted to, than measures taken, by which its entire ruin, even by the most remote possibility, may be incurred? This last, is certainly the spirit of our law, and it places liberty amongst those things which it is most inclined to favour, looking upon it with a fond parental eye, as that darling child, to whose advantage every presumption is admitted, every construction made, rather than see it so culpable, as to merit a correction which may by any means injure its beloved frame. That form therefore of government, which provides most effectually for the liberty of the individual, without weakening the strength of the magistrate; that form which secures the greatest number, or proportion, of its subjects against internal oppression, as well as external violence, is undoubtedly the best, be-



cause it establishes order and safety, the great ends for which we enter into a state of society, at the expence of a very moderate share of that liberty, which we enjoy in a state of nature; and confers great social advantages, while it deprives us of very few natural ones. No liberty whatsoever can compensate the want of security in a state of nature; the hourly apprehensions of superior force; the inquietudes, which are the perpetual attendants upon fear; defence must be small, because every man rests his reservation upon his own powers; hence, we behold savages always improving their bodily strength, increasing their agility, acquiring the greatest possible degree of swiftness, and practising patience under labour and fatigue; insomuch, that the American Aborigines, are said almost to fly over continents, lie whole nights in snow, and perform such feats as seem almost incredible; relying on single self for their preservation. With regard to parental government, this, as it is extremely defective in point of defence, however mild and gentle it may be, from the affectionate relation between the governor and governed, being his offspring, so is it little to my present purpose; I shall, therefore, pass to those Celtic forms, which furnish the original materials of all the European constitutions. There are distinguished in history, two grand emigrations of those northern

northern people, whom all writers agree to be Celtic; and each emigration made an attack upon the Roman empire: in the first, they were at length repulsed; in the latter, they succeeded, and laid the foundation of all the European kingdoms as above. The first adventurers, obliged at length to abandon Italy, spread themselves over Gaul, the northern parts of Spain, Britain, and very probably made some settlements in Ireland. They left their mother country possessed with the same spirit of conquest, which actuated the Goths, Vandals, Alans, &c. and the necessity of acquiring a settlement, (there being no room, as is supposed, for them at home) established a strict discipline and due subordination; a respect to one superior, kept every small chief to his duty, and prevented those broils and dissensions, which ever since the siege of Troy, have retarded the progress of great enterprizes, where they have been suffered to interfere. But, my Lord, why the Goths, Vandals, &c. had the good fortune to establish more excellent, and for that reason, more permanent governments, than the conquerors of the more early period, may appear from a consideration of the great difference in the circumstances of the invaded nations at the different periods. The last emigrants fell upon the south of Europe, at a time when the Roman laws, institutions, arts and sciences,

ces, had universally taken place ; and altho' they conquered, yet, had they much to apprehend from a people who were in possession of that discipline, which had subdued the world. In some countries, their conquests were so imperfect, that they were constrained to a composition with the inhabitants, and to take but part of their lands, and part of their slaves ; they were, for this reason, obliged to have a watchful eye upon enemies so respectable, and adhere to those principles of policy, which they brought from their own country. Hence, those powerful mixed monarchies which we have since beheld in Europe ; some few flourishing and vigorous, at the time others languid, declining, and scarce discoverable to be of the Gothick kind. The more early Celtes, met with a different reception when they marched to the southward ; for Roman virtue having forced them over the Alps, they fell upon nations who afforded them an easy conquest ; and for whom, the facility of the conquest, must inspire them with contempt ; they soon became easy, indolent, and secure ; lost sight of their ancient institutions ; no regard to a general interest ; each petty leader pursuing a selfish, narrow plan ; and hence the imperfection of these governments, which Cæsar and Tacitus describe, both in Gaul and Britain. Nations, whose want of political cement, rather than of weight or numbers,

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was the cause why they were immediately overturned by the Roman armies; whom, even their enemies allow to have been brave, but divided into such little states, that these divisions, and the want of a more comprehensive band of union, did certainly produce their ruin. There can be no doubt, but the Scotch government is derived from the Celtick confined fountain, and has drawn from thence, the many imperfections with which it abounds; their leaders of clans, the unnatural distinction between people of one sept, from those of another, yet both living in the same country; the cruel animosity between these different septs; (so cruel, that instances have appeared, where but one man alone, out of a name consisting of 2000, has survived the rage of the adverse clan, and all this to gratify the paltry ambition of the head of a family) These, I say, proclaim the greatest want of that sound policy, and good sense, which consults the quiet, the happiness, but above all, the external defence of the individuals committed to its charge. I, my Lord, wish from my heart, because I think it the advantage of human nature, that no distinction subsisted, if possible, between the nations of the earth; but from a country which is united to ours, I am impatient to see every dissimilitude removed, which may obstruct our end. Impatient to see the Scottish laws approach nearer to the spirit of our laws,

laws, and to that spirit which their ancestors brought from Scandinavia, but afterwards suffered to evaporate, as I observed before. I wish to see our jury law, and whatever laws have any relation to the liberty and property of the subject, better relished by our neighbours; and our common law, enjoy that preference which it deserves, to the arbitrary edicts of Roman tyrants: then should we see ministers of that nation free from any bias to arbitrary power; and judges, who scorning to be tools of despotism, in justice, temper and popularity, should emulate an Holt or a Camden.

As I write without any design of lowering that brave and prudent people in the estimation of their neighbours, and my structure being on the government, and not the individuals, I hope I shall stand acquitted of any view, but that of reducing their prejudices in favour of any systems, which may prevent that assimilation with England, for which I have contended. Let Scotland discern, acknowledge and imitate, where England is confessedly her superior; it derogates not from the merit of any single person of the nation, to make the concession, for it was time, circumstance, situation, which have conferred the superiority: let England value not itself too much upon this accidental superiority; nor despise their northern fellow subjects, for being inferior as a people,

people, whilst as individuals, they are incontestably their equals; and, let them consider, that the lesser merit they allow the Scotch, the more it is the business of the Scotch, as a brave and spirited nation, to claim and insist upon.

Ireland, my Lord, from the circumstance of separation from Great-Britain, seems at first view, to want that contiguity, which is, with justice, placed amongst the essentials of union; but Ireland has every other essential, and though not actually joined to this island, is so virtually and in effect; it enjoys very near the same climate, and the genius of its inhabitants bear as near a resemblance to that of the natives of this country, as the confused, undefinable form of government under which they have lived, will admit. But what should induce us most powerfully of all to bestow upon it that attention which union alone can create, is, that Ireland, in the possession of some neighbouring powers, would cause a disadvantage of double its own intrinsic positive value to us; the human species has there a most strong tendency to multiplication; the men are brave, hardy and robust; the soil fruitful to an uncommon degree; and its harbours commodious, in every sense of the word. Conceive then, my Lord, the fatal consequence of so injudicious a treatment of that country, as absolutely lose all the benefits which may arise

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from it, of slackening the duty and love it is disposed to entertain for England. Conceive, my Lord, such a country in the possession of an enterprizing French or Spanish monarch, who would behold his interest in strengthening, in cherishing, and laying it as a continual check upon Great-Britain; how much of our regards must be diverted from other concerns, by so respectable a neighbourhood; when these are considered, with the great additional strength which that country must bring to our own, as a part of one well proportioned body; the objection of the want of contiguity immediately vanishes, and we see Ireland joined to Great-Britain by a firm political isthmus.

From the closest inspection I have been able to make into human nature, such as it appears in perusing the history of nations, or in observing the actions of cotemporary individuals (I speak of man, modified as he is by the laws, and education of the particular society, of which he is a member, not as he comes out of the hands of a beneficent Creator.) It is very discoverable, that he is an animal, in whom love \* of self does so strongly predominate, as to make it very necessary,

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\* My opinion will not appear morally heterodox, being no more than that man is created with the proper size of self-love, which naturally seeks his preservation, but that bad example, bad education, and the artificial necessities

cessary, that this ungenerous principle be counteracted by some power, which should have also this same self-love for its source. Man, were it not for the dread of law, would think himself very excusable in seizing upon more of the goods of this world, than by the present social methods of acquiring property, should come to his share; the fear of punishment constantly interposes, and moderation, by degrees, becomes habitual. In communities, then, man finds a check upon his desires in the laws, but, when we enlarge our view to the whole world, as a great aggregate of various communities; each community of which, may be compared to an individual; where are we to look for the means of controuling, of bounding, the combined passions of the multitudes which form each community? How produce moderation? How curb that ambition in the tyrants of those communities, which has so frequently desolated the human species? If we, perchance, behold national moderation from peculiar form of government, or what other cause soever, prevail in one country, so far from being its security, that country is thereby exposed to the invasion of some perfidious neighbour; the law of nations is re-

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necessities in a state of society, blow it up to an enormous bulk, which would be pernicious, did not the laws of that society suppress, what its bad education had given rise to.

curred to, but in vain; a municipal law, the magistrate can execute; but to put the law of nations in force, against an unruly state, the concurrence of many powers is necessary; this may be prevented by too strict a regard to private interest, at least it may be delayed; during that delay towns are destroyed, provinces seized; the aggressing power takes such a hold, as may support him through a ten years war; at the end of which, want of union, want of honesty, in some or all of these powers, who are solemnly confederated to chastize him, he has the good fortune to escape with impunity the correction: therefore, which should follow a breach of the law of nations, is not sufficiently certain to deter the wicked and the ambitious in the present system of Europe. The plan, said to have been levied by Henry the Great of France, was laudable in design, but impossible, I think, in execution; he intended to bring the joint powers of Europe, who seem to have interests the most opposite, as near as possible to an equality; that any of those nations who constituted these two general divisions, may receive protection from their own party; when those on the other side, endeavoured to oppress them; but neither he nor any else could ascertain, whose interests were to be the clashing ones. It was not those of religion, for we see the Protestant religion, every regard to honour, gratitude, and



and its own real advantage, sacrificed by a once considerable maritime power, to a narrow, private scheme of commercial, selfish politicks. Austria and Bourbon were not to be the contending family interests, for we now find them most closely, and as we are pleased to call it, most unnaturally connected. In matters, therefore, so fluctuating, it was impossible to foresee where, or between whom the contention should be. If Henry could have ensured one particular state, powerful, and yet honest enough always to afford succour to the injured, then would he have succeeded. Is not the ban of the empire often unjustly arrayed? And is it not as often laugh'd at by those who are able to oppose it? I fear, my Lord, that human systems are not so capable of perfection, as we, from our partiality to the framers, are inclined to believe them; but especially when the means of execution are so complicated, as in the present case; and that, therefore, the most simple expedient, for preserving as general quiet, as the passions and frailties of men can possibly admit, will be, for every state to endeavour at strengthening itself, which will make neighbouring powers, for their own sakes, and the love they entertain for themselves, beware of violating the law of nations; fear of each other, will prevent repeated hostilities, prejudices, which we observe to subsist most strongly between those

those who are frequently at war with each other, will languish and die away, and neighbouring countries, instead of hating, and seeking each others misery, will love and study to promote their mutual happiness; so will fear, and an apprehension of offending by slow, imperceptible degrees, bring a people first to bear with its neighbour, then to esteem, and perhaps, in the end, to treat it with cordiality and affection.

I, therefore, must applaud the wisdom of those, who endeavour to multiply virtuous industrious inhabitants, upon such a part of the earth's surface, as may be sufficiently extensive to form a nation powerful and respectable, equal to the defence of itself against injury, and able to succour a distressed neighbour, in case of any violence, which may put the common safety in danger: but should equity and moderation be the acknowledged characteristicks of that nation; should all the materials for such a work be, as it were, already provided by the hand of Providence, and nothing wanting but a proper political combination of them; it is, doubtless, under a double obligation of strengthening itself, because human nature, in general, is deeply interested in the safety, in the influence and power of such a people; the small territory which may be drawn into such a community, cannot, with any justice, complain of being stripped of their despicable

ble pretensions to independency; when, in reality, they are freed from the tyranny of some proud beggarly duke or count, from the oppression of some paultry republick, and made members of a state, where every man's rights are secured; of a state, which is able to maintain real independency; nor can any thing be more evident, than its being for the interest of all Europe, that no petty sovereignty whatsoever did exist; a temptation to every ambitious neighbour, a cause of frequent disturbance, and a kind of constraint upon those, who are peaceably disposed to live in perpetual alarms\*.

The provinces of France afford a strong example, how distracted, how miserable that country has been, from the death of Charlemagne until Richlieu's administration, occasioned by the power and influence of the great vassals of the crown? Was Provence so happy under her counts; Normandy, Burgundy, Guienne or Brittainy, under their Dukes, as they have been since the monarchy was formed? What substantial satisfaction, could the consideration of being ruled by one of their own country; the vanity and parade of a petty court, whose retainers devoured the people; afford for the miseries to which the follies and injustice of their masters did every

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\* Quia inter impotentes et validos falso quiescas.  
Tacit. de Mor. Ger.



day expose them? And how can the French, with any justice, say they have lost their liberties, because their peers have lost a dangerous power? And are a people free, because the great lords are able, upon any trifling occasion, to rise up in rebellion against their king? I rather believe their slavery more desperate and deplorable. The French, probably, never understood what real liberty is; for he, who would restrain the enjoyment of it to any particular order of men, and not suffer its blessings to extend through all the virtuous members of the community, mistakes the import of the word. I must, therefore, approve the political wisdom of the French, for taking in those provinces, which seem formed by nature to coincide with their monarchy; the sameness of language, of manners, of customs, encouraging, and facilitating their designs; and do think, the accomplishment was for the general happiness of those provinces, without enquiring what right one nation has to make another happy against its will. But, when we behold the ministers or tyrants of France, so iniquitously abusing their great increase of power, by extending their conquests and influence beyond the limits which nature seemed to prescribe; and instead of applying that power to strengthen and secure the quiet of Europe, exerting it on the contrary, in disturbing and destroying it: we then, indeed,

indeed, must lament their greatness, and express our sorrow for that want of rational liberty, and pure religion, which would, undoubtedly, have produced equity and moderation in the councils of that great monarchy.

The general expediency indeed, necessity of compact, and powerful social associations, being admitted, the union of Ireland with Great-Britain appears easy and natural, liable to no jealousies of neighbouring states, because, the sovereignty of Great-Britain over that island is universally allowed abroad; and that we have always been of that opinion at home, appears, from having constantly exercised it, where the object has been of such moment, as to affect the interest of both kingdoms; such as superintending their legislature, and taking from their peers a dernier judicial power, lest there should be a failure of justice, and depopulation ensue in any part of his Majesty's dominions; and that the leading men of that island are sensible of that dependancy is clear, from their submitting, the very moment it seems to answer their own private interests, and small ambition, after having blushed, perhaps, for one short session, and sorely calumniated some poor, timid, unpopular secretary of their Lord Lieutenant. Nothing is, therefore, more sincerely desired, than that England should look narrowly into

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the affairs of that country; that it should consider them, in some respect, as their own affairs, and take the proper steps for bringing the people to a temper for mixing with themselves, which having left them so much in their own management, has hitherto prevented; nor is it surprizing, that the gentlemen who constitute the two legislative branches of that kingdom, should be incapable of moulding their countrymen to the form we require; their scheme of government, and political ideas, are contracted, confined to raising such supplies as their governors shall demand, establishing turnpikes, and enacting laws against the growth of Popery; debates upon the general interests of Europe, upon the improvements of commerce, the prerogative of the crown, or the rights and liberties of the people, are never heard within their walls — they never aspired to the blessings of an habeas corpus act, the strongest proof how small their desire of liberty; carrying with it, at the same time, the implied consciousness of how little they deserve it: then, can it be expected from those, to inspire the Irish with sentiments, which may entitle them to unite with the freest, wisest, and most powerful people in Europe? The landed property of Ireland is, at this time, vested in the descendants of English or Scotch for the most part, or held under titles derived from them; the adventurers of Elizabeth,



both, and those of the long parliament, being, in truth, the conquerors \* of that kingdom, and the purchasers of those estates which their posterity now enjoy. The gentlemen of that nation, are therefore sprung from a warlike ancestry, whose blood and t—— were expended in subduing, and endeavouring to civilize that country which they now possess; and although both from right and convenience, Ireland is, and ought to be subordinate to England, yet, has an Irish individual as indisputable a right to liberty and property, as an Englishman; for why should not the grandson or great grandson of an Englishman, who left his native country to fight for the glory and advantage of England, and by his valour and perseverance established a property for himself and family, be looked upon as inferior to the grandson or great grandson of an Englishman, who chose to remain at home? No, my Lord, the superiority is of the aggregate, not of the individual; it is admitted in one case, because it is for the good of the whole; it is rejected in the other case, because it is quite unnecessary; and all the gentlemen of Ire-

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\* As for the conquerors of the more early periods; their descendants were soon degenerate, so attached to the Irish manners, so estranged from those of their English ancestry, that there was a necessity of conquering them with the old Irish, particularly as they were infected with the same prejudices against the reformation.

land have the merit of being descended from a brave and free ancestry. I must declare, that no people, to whom so many advantages have been presented by circumstances most favourable, did ever so little avail themselves of them. England offers to their acceptance, the most excellent code of laws that was ever framed by any nation; the mildest and most rational religion; the soundest maxims of commerce, and the best instructions for the improvement of manufactures; it has afforded them a wholesome example of a strict execution of the laws, and most of these proffered kindnesses. It is as certain, that the Irish reject such laws as relate to inheritance, being originally interwoven with our military feudal tenures, which took place upon the first English settlement in the island, but subject to the 12th of Charles the Second, are the same as in England; so are those which relate to personal property; the institutions which have for their object the manners and principles of the people, independent of religion, are also English, but these lie dead and unexecuted; those which relate to religion, are mostly enacted by themselves, and are absurd, unnatural, and shocking to humanity, I mean the modern Popery laws, which tend to the discouragement of that sect by forfeiture of property; they are dictated by a spirit of uncharitableness, which never entered

tered into the laws of England, for these are remarkable for their lenity and precision, dictated by a spirit, which instead of diffusing benevolence amongst the members of a community, destroys all confidence between man and man, and blasts every bud of honour and virtue; these are executed by bills of discovery, where breach of faith between neighbours, breach of honour between gentlemen, dissolution of the ties of blood between relations, are rewarded with the property of the person against whom the bill is brought. In England, the nature of a penal law is understood, and it is a rule that the words of it, are neither to be extended or restricted by construction; the framers of these laws, which have for their object actions not criminal in their own nature, or as the lawyers say, mala in se, but only made criminal as they interfere with the policy of the state, enumerate the several cases of transgression, awaken and collect the subjects attention, point it to the thing which is to be avoided, and leave it not in the power of a judge to say, that this, or that, was intended by the statute, although not particularly expressed; nor shall the liberty of any man be taken a way by implication in matters which are morally indifferent. But the Popery laws of Ireland are monsters, some call them penal, others remedial, and all admit, that judges can give them a construction, by



by which their determinations may be at least arbitrary, and the people of that religion left in the greatest confusion and uncertainty. Your Lordship sees how great an enemy to reformation of every kind, how radically destructive of all virtue, both publick and private, must be that body of laws, which lets loose, nay, encourages one part of his Majesty's subjects to prey upon the other; how should union or brotherly love subsist, where legislature is perpetually sounding the trumpet of discord? How void of sound policy these institutions, which destroy the morals of a people under colour of reforming the religion? That branch of the Popery laws which are transcribed from the English code, are conceived in a spirit of simplicity and good sense; avarice was not the blemish of the age which produced them; they do not strip the unfortunate, misguided, innocent people of their properties, because drawn into errors by priests; connived at by magistrates, whose duty it is to restrain their religious doctrines and discipline; they may be executed by justices of the peace; no lawyers necessary, no bills of discovery, no profits immediately arising to any particular individual, by the execution of these laws; it is religion and the constitution which are to receive the advantage, for which reason they are seldom put in force; and since the Popish religion is detrimental to the kingdom, the  
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rigorous measures necessary for its extirpation should be felt, by those who cause the delusion, not by the unfortunate deluded; it is the mountebank, vagabond, impostor, who should be punished, and not the simple, credulous people; so that instead of laws which destroy all confidence, and produce rancour and malevolence between fellow-subjects, the wicked, self-interested propagators, the sly smugglers of the religion into that unfortunate kingdom, should be the object of our indignation. England perfected her reformation by expelling Popish priests, so did the northern states, but Ireland expects, by a scandalous persecution, to compel a bigotted multitude to reform itself, and drive out a set of men who have now gained a firm establishment in their affections and esteem, and who, I venture to say, have a greater ascendancy over their hearts and consciences, than the most powerful head of a sept could possibly enjoy: nor can I see, how the expulsion of priests could fail of success in Ireland; the Romish superstition is so contrary to common sense, to christian charity, to the general interests of the human species, that the closest application to the mind, in its circumstances of early, indeed almost infantine weakness, is necessary to give it root there, the greatest assiduity is required to rear it, but once confirmed, like every other noxious weed, is with great difficulty destroyed; we, there-

therefore, perceive these dangerous missionaries, initiating their youth as early as possible in their senseless mysteries, well knowing, that an understanding, strengthened by reason, must start at their absurdities, and reject them with disdain; so that if the laws were executed, which would remove these men from the opportunity of practising upon the pliant faith of young people; free and untainted, they would readily embrace a religion founded on reason and universal charity; nor can these Romish ecclesiasticks complain of persecution, having felt no effect of the laws enacted against them, almost for an age; they see and study those laws against the exercise of Papal jurisdiction, and yet, such is their matchless effrontery, as to hold them at constant defiance; they are almost to a man, ill-bred, low-born wretches, but ever pretending to the gentleman, because descended from servants and retainers in respectable families, they have impudently assumed their names; their learning amounts to little more than a base unclassical smattering in the Latin tongue, which enables them to blunder over their masses, the rudiments received under an Irish hedge, and farther cultivated at some starved French seminary, in return for which scanty charity of his Most Christian Majesty, they import into the dominions of his enemy, the seeds of rebellion, and a total abhorrence from



from the free spirit of the English laws and government. What just cause of clamour could exist, if his Majesty appointed a subsistence in a foreign country, barely sufficient to keep them from labour during their lives, subject to this condition, that they never *return to a kingdom where it is most certain they cannot live without tampering with consciences?* This is a mild expedient for getting rid of a sect, which, for two centuries, has checkt the progress of all improvement, and frequently involved that island in wars and tumults, by invariably adhering to the side of superstition and tyranny; and I most heartily wish to see this method substituted to the punishment of the innocent, and to the infliction of severities upon the many, when proper castigation of a few would better answer the purpose; but I fear the landed interest of Ireland do not disapprove a policy, which keeps the posterity of the men whose forfeited estates they enjoy, in a state of misery and distraction, and that, too poignant a remembrance of the cruelties of the Irish Papists to their ancestors, inclines them rather to oppress and enslave the descendants of that people, than endeavour seriously to reform, mix with them in brotherly love, and be joined as fellow-subjects by the ties of social affection.

I well know, that the danger of Popery, has been treated as a bugbear by several on  
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this side the water, especially by men, whose bias to arbitrary principles of government, prevents their seeing any danger in a sect, whose political opinions are the same with their own; they feel not the inconveniencies that attend it, and are ignorant of the frightful effects of that superstition, both here and in Ireland; their information not exceeding some few facts which have happened in their own time, stands totally unaided, not only by books, but even tradition from their parents; they consider the toasting of memories by the Irish Protestants, as having a tendency to divide the people, and keep ancient animosities still alive; and it is certain, that a late high mettled secretary to a Lord Lieutenant, had the impudence to pronounce a declamation to that purpose in the House of Commons of that kingdom, penned, as it is supposed, by a remarkable stile mimick, from whom that suborator seems to have received his impressions of Irish affairs, and indeed, of politicks in general; had he delivered his indirect sarcasms upon the memory of William the Third, as the opinion of himself or his instructor; no man who had the least knowledge of either, would have felt any surprize; but an insinuation of its being the sense of the people of England, that the Irish should forget the obligations they owe to the glorious revolution, that they should omit any thing which may preserve it fresh in their memories,

memories, that they should lose recollection of what their ancestors suffered by Popery, from the time of Desmond's rebellion to the capitulation of Limerick, or lose sight of any measures which humanity will admit, of disabling Popery, from making any attempts for the future, was, doubtless, the highest degree of presumption, that any declaimer ever arrived at: England, on the contrary, is well apprized of the undying rancour of that religion, and the almost irresistible dissimulation of its chiefs; how coolly and systematically they proceed in bringing about their ends, how unrelenting when possessed of any power over their adversaries; that the interests of Protestantism are neither so closely, nor uniformly pursued; that its professors are divided by not acting under one common head; not agreeing entirely either as to doctrine or discipline; in short, that they are too indifferent about a religion, which having reason on its side, they look upon very able to support itself, and do, therefore, applaud their Irish fellow-subjects for their caution. It is a strong argument against suffering Popery to continue in Ireland, that the progress of every good thing is thereby most amazingly retarded; arts and manufactures are born down by the laziness and want of decent œconomy, which forms the indelible character of that religion, except in France, where the natural vivacity



of the people does, in some measure, check its pernicious tendency ; but a much stronger it is, that government, that the constitution is particularly affected by the evils which thence ensue, nor can it partake of the free spirit of English government, altho' the body and members are precisely the same ; the people, like those of England, share in the legislature, by sending representatives to parliament ; but to a true constitutional representation, a strong relation between the constituent and the constituted is absolutely necessary, in order to retain the representative within the bounds of duty, and oblige him to hold it ever in remembrance, that he is sent to parliament, not for his own private advantage, but for that of the publick ; the more considerable the number of electors, the more respectable must they be in the eyes of the elected, and the more cautious will the latter be of neglecting or betraying their cause : but whilst the Popish religion prevails, as to numbers, the body of the people are not represented, the individuals of that persuasion, lying to a man, under a legal disability of voting at elections ; members are sent up to parliament by a few Protestant freeholders, so few, as to challenge very little respect in the eyes of men, whose seats in the house have no certain limitation of time, and these so easily managed, that it is very doubtful, whether the scandalous neglect

neglect of propagating true religion, which has appeared in the leading men of that kingdom, has not proceeded from a notion that the diffusion of it through the people, would give them such a weight and authority, as may exact a greater attention from those who have occasion for their favour, than has been hitherto found necessary; and it is not improbable, that a consideration how much the emoluments of a free trade in Ireland, must be enjoyed by a body of men, who are natural enemies to liberty and the present family, may furnish motives to England, and for ought I can see, very reasonable ones, for continuing that kingdom under its present commercial restraints.

Since then, it is evident, that the gentlemen of Ireland, either through a want of proper training to a more extensive plan of politicks, or from too close attention to their present apparent interells, shew a reluctance in advancing their native country to such a stage towards perfection, as may bring it to be of greater use in the general scheme. It is most incumbent upon England, from a principle of self-preservation, to observe it more attentively, as a quarter, by which, in case of neglect, they are likely to receive a most deadly blow\*.

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\* Probably no part of Roman policy was more liable to censure, than their omitting to unite Sicily with Italy, they

The constitution of Great Britain has, from causes very obvious, taken since the revolution a dangerous turn to aristocracy, in-  
 somuch, that it is amazing to hear authors of high reputation complain of its tendency to democracy; the House of Commons, it is true, are supposed to hold the strings of the national purse: but the majority of that house, is certainly formed of men, recommended in counties, but principally in boroughs, by lords; if they are therefore septennially created to represent the people by the lords, their political opinions and conduct, must depend upon those who create them; the lower house is lost in the upper, and far from being distinct branches of legislature, they are virtually, altho' not yet nominally, the same; was not this the case, all places of trust and profit would not be possessed by lords, their relations and dependants: neither as to capacity or industry, can they claim any superiority; and his Majesty would not be less respectfully served, by men who stood singly on their personal merit and loyalty, than by those who are inflated by their own power, or by the consequence and power of those who recom-

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they would have thereby taken from many bad citizens an opportunity of becoming rich, and prevented the dreadful insurrections of their slaves, which lawless oppression of the wealthy landed interest of the island did occasion.

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mend them; but the general bad effects of this evil, being not immediately to my purpose, let us see how prejudicial it has proved to the interests of the country I speak of. The Lieutenancy of Ireland, is consigned of late years, to persons of the first rank and title only, and altho' an office upon which depends the advancement of arts, the reformation of religion, and the establishment of government in that kingdom; yet, to the carrying forward of these really important works, the super-intendancy of a Lord Lieutenant cannot be obtained for more than six months out of twenty-four; some, indeed, condescend to go over a second time; some, out of a consciousness of misbehaviour, are afraid to venture, and yet their impatience to continue there, does not proceed from any dislike to the profits of the employment, as they press most eagerly at home for every lucrative one, nor from a desire of avoiding the fatigues of a court, for their ambition discloses itself, in the encouragement given to their own little levies at their respective palaces in Westminster, where their dependants pay a constant attendance; nor from an apprehension of losing the royal favour during absence, like the unfortunate Essex, but it proceeds from their apprehension of losing their English voters in the house, and at elections for members and magistrates; so that were it possible to confine the nobility  
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to the constitutional range which the law prescribes, a double advantage would thence arise to Ireland ; the presence of those noble personages appointed by his Majesty to be their guardians and protectors against domestick oppression, and that the younger sons of the gentlemen of the kingdom, would then enjoy a more reasonable proportion of the employments, military, civil and ecclesiastick, which their country so plentifully maintains, than they can in the present situation of affairs, whilst their governors are obliged to bestow them upon their English dependants, whose friends and relations have engaged in supporting their parliamentary influence at home : and here your Lordship sees a great part of the wealth of one island, directed to the ruin of the liberties of the other——But to proceed, if the chief governor was to continue in the kingdom, he might be at leisure to make progresses, see whether the people were governed or oppressed, and what was the true and general sense of the nation ; he would there behold the Protestant religion expiring thro' the laziness of our priests, and an unwearied application in those of the enemy ; the internal rule of the kingdom or its police, by which the manners of a people are principally formed, intrusted to magistrates, whose only recommendation is a blind obedience to the will of those, who enjoy the derivative power

power under the chief governor, and a burning zeal for extending their interests at every election; he would see the money raised upon the people for encouraging manufactures, and establishing the most desirable convenience of an inland navigation, perverted to the vile purposes of acquiring a dominion over boroughs, by jobbing the management of the works to those who are able to lend their assistance therein; if he continued his residence in the kingdom, he would discover laws to have been enacted, which (contrary to all those rules laid down by reason and publick utility for the direction of legislature) are respective in their nature, and assume for their object transactions and agreements, which had an existence previous to any notion of making such laws, with a view to encrease the private fortune of some parliamentary leaders, or screen some of their favorite tools from the just demands of their fellow-subjects; he would see these leaders professing whigish revolution principles, and, indeed, procuring and continuing to themselves much Protestant popularity by such appearances, yet, taking every indirect method of subverting these principles, by corrupting universally, and erasing from the minds of their countrymen, every impression of honour and regard to liberty; he would see the common people labouring under all the miseries of poverty, of slavery, and daily



sinking from bad to worse ; and he would lay the true state of that unfortunate kingdom before his Majesty, from whose wisdom and goodness it could not fail of redress.

But if an unbounded attention to their parliamentary concerns, has so entirely engrossed the body of the British nobility, as to render it impossible to find those amongst them, who will dedicate their time to a real discharge of their duty as a Lord Lieutenant of Ireland ; many commoners may be found, who with great justice, will think themselves highly honoured by the office, even under that *severe condition* of doing their duty: the office derives no lustre from the person, but the person from the office ; a rule, which will hold even with kings. It is allowed, that to the exercise of an office in the treasury, admiralty, or the other departments of government, some experience and application are required, but for the government of a kingdom, which contains above two millions of inhabitants, supports, as I am informed, twenty thousand men, with placemen and pensioners beyond number, a nobleman becomes instantaneously qualified ; and when he thinks proper to be weary of his charge, his successor becomes as suddenly, and as miraculously qualified as he. If a country is so far removed from the residence of the sovereign, that he cannot see with his own eyes the real state of that country ; and  
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if the indolence or avocation of viceroys are such, that they will not see with their own eyes, but must receive the *representations*, which they lay before Majesty, from men whose private interest it is, that every thing should be *misrepresented*; then will a few families of large fortunes, and extensive connexions, play off the king against the people, and the people against the king, and with the greatest success, provided they are strengthened by an English interest, they will appear to the people possessed of the royal confidence, from the power they are seen to have of bestowing some trifling civil employments, at times, a commission in the army, and upon extraordinary occasions, perhaps, a bishoprick; and the loyal deportment of the people will, by a most scandalous imposition, be imputed not to its real cause, a thorough *sense of their duty, and an unalterable affection to their Prince*, but to the address and ingenious management of these leaders; this, I may venture to undertake, is the hinge upon which Irish government has long turned, and the consequence must be an absolute vassalage in that country, and an entire obstruction of all intercourse between King and people; the feelings of allegiance will become faint; dependance, fear, adoration of their domestick idols, will take place, and these idols will have it in their power at length, to extort from their

master whatever species of pension, or gratification, they, in the plenitude of their insolence, shall think proper to demand.

However, since the age in which we live is such, that an unsocial, contracted selfishness, appears the strongest line in its character, I should not, my Lord, be surprized to hear it urged, in opposition to my speculations; *If Ireland is of so great moment, so fruitful in soil, its inhabitants so numerous, with such variety of other advantages, why shall it not take care of itself?* to this it may be sufficient to reply, that from her political dependance upon England, she cannot venture to undertake any business of weight, or of considerable import to herself, without the consent of England, bold strokes of reformation come from the arm which is powerful and unconstrained; that Ireland, backward as she is in copying from England, whatever may be useful and praise-worthy, has been most singularly docile in the science of cabal and domestick intrigue, nor are her sons less expert in bribery and corruption, than the managers of the most disputed borough in England: we have, therefore, rendered them both unfit and undisposed to reform themselves, whilst their subordination, had they been never so well disposed, has put it entirely out of their power; but if this reply proves insufficient, arguments drawn from love of self, must have their due weight,



weight; and let us recollect, that a time may come, when some powerful state, less indifferent about the advantages which nature offers, may think seriously of that country, which we look upon as unmeriting our notice; that the misconduct of governors, or the under agents of governors, may create an indifference in the minds of the people, whether they live under an Irish Lord Lieutenant, a French commandant, or a Spanish viceroy; that the united disaffections of the inhabitants, both Protestant and Papist, must yield great encouragement to foreign attempts to invade them, and almost certain stability to their invasions; and that in some future luxurious, degenerate age, a Hawke or Kepple may not appear, whose matchless intrepidity shall brave the dangers of rocks and shoals, to destroy the destined invaders, perhaps, the conquerors.

OUR PLANTATIONS have formed the subject of so much debate and altercation of late, that little new, and therefore very little interesting, can be now advanced upon that head; yet how will this matter appear, upon trial by that real touchstone of all political disquisitions, *improvement of manners and public security*? Moral perfection, or the nearest possible approaches thereunto, is indisputably the first, and most worthy end of all our pursuits; and yet defence against external violence, protection of the community engages,

engages, and with reason, almost an equal share of our attention, being that, without which, an opportunity of affecting the former is absolutely lost; arts, sciences, and pure religion, no more than eloquence\*, can have their natural growth, amidst the strugglings for liberty, amidst the shouts of conquest, or, indeed, amidst the fears and apprehensions of being conquered; to this purpose is required a steady, settled, unpalliable temper in the state, for which reason, many small considerations must give way to this single great one; agreeable, therefore, to this principle, I cannot avoid declaring, that our American fellow-subjects have not maturely considered how trifling are the restrictions of the mother country, when weighed against the advantages, which that same mother country has afforded them; and I consider every writer who would whet the edge of their appetites, to a higher degree of keenness, for trade and wealth, as the general enemy, who would raise them too high in their own opinions, and lessen, in their eyes, the obligations they must owe to England: they talk of having carried *their fortunes from England to make their settlements*; some particular men might have done so, but,

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\* Neque enim in constituentibus rempublicam, nec in bella gerentibus, nec regum dominatione devinctis, nasci cupiditas dicendi potest. Cicero de Oratore.

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nothing is more certain, or better known, than that necessity has been the cause of almost every emigration that has happened, and that the beginnings of most American properties were remarkably slender: by a free and beneficial trade, well protected by British navies, they have, indeed, accomplished a most rapid growth, to which their own much to be applauded care and industry has largely contributed.—The *risques*, they say, they have run in making their settlements cannot, as they pretend, be admitted as done with a view of *serving the mother country*, because, in general, countries are allowed to suffer rather, by the exportation of their wealth and inhabitants, and so would England; did not the peculiarity of its naval and commercial circumstances, so singularly distinguish it from Spain and all other countries; did not its dominion of the seas, so facilitate the intercourse between every branch of its empire, that any of its inhabitants, or the property of any of its inhabitants, may, as it were by magick, virtually and in effect, appear wherever they require. Now, as to their obligations to Britain, admitting that no pecuniary aids had been advanced towards establishing their settlements, how can they discharge themselves of the obligation of having received from England a body of excellent laws, ready to be transcribed; a set of social improved manners, ready to be trans-



transplanted ; arts and sciences ; all which, if raised from the seed, would have a tedious, and interrupted growth in the wilds of America ? If we add to this, that respect which a subject of England must challenge, in what situation soever, which no small colony could pretend to maintain, it will be impossible to listen with patience, to the man, who would refine away these obligations, by alledging that England has acted from narrow motives, in order to strengthen herself : an undutiful child, may tell his father, that he begot him to please himself ; that he cherished him, that he fixed him and his fortunes in the world, merely to gratify his parental feelings ; and upon this false reasoning, impiously hold himself acquitted of every duty ; but nature declares against him ; and altho' no ingratitude can dwell where there is a reciprocation of good offices, yet, he who receives the first act of kindness, will ever remain the most obliged.

No man entertains a more cordial affection for our fellow-subjects of America than I do ; their emotions in favour of liberty are generous and praise-worthy, but must still be of opinion, that they have not, as yet, conceived (so generally as may be wished) notions of government sufficiently digested and extensive ; since their ancestors made their emigrations, liberty has received many and great improvements ; the rude wild stock,  
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hurried by scandalous persecutions at home, they hastily plucked from the mother soil; it struck strong roots, and vigorously flourished in their new congenial clime; but it was at the revolution, the generous well-flavoured fruit was engrafted, which I fear, no part of the British empire, except England, has yet brought themselves properly to relish.

A sacred and inviolable right of taxing themselves, and regulating their own affairs, without any exception, for what unforeseen dangers and sudden emergencies may produce, has been contended for with too great a latitude; the colonies must now consider themselves as a part inseparable from the grand body of the British empire, and as such, an evil happening to that part, may spread itself to the whole, as a sore in any particular member, may cause a general mortification; inattention to, or bad management of the plantations, may let in an evil, which would, in its consequences, bring the existence of Great-Britain into danger; a moment's deliberation, then, must surely fix the relative weight of British trade, glory, and influence, to that of American pure natural liberty, and absolute, uncontrollable independance. The Americans, being the subject of the present debates, because they happen to be more immediately concerned, declare themselves the proper judges upon

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the occasion, but altho' most *immediately* concerned, they do not furnish the object of *greatest* concern; British safety, power and trade, furnish this grand object: Britain, therefore, is the more competent judge, and it would be unreasonable to expect, that any wise administration, after the warnings already received from the indolent deportment of the colonies at the beginning of the late war, would suffer considerations of so high a nature, to rest upon the determinations of men, whose neglect has been already so justly censured, from whose torpid sullenness and obstinacy, the enemy did confessedly derive such advantage. Shall it depend upon the resolutions of a Philadelphian assembly, whether our fellow-subjects shall arm in defence of liberty and property? Does the fate of a whole continent bear any proportion to an almost imperceptible encroachment upon the important privilege of an American, deliberating for a year or two, whether he will pay six-pence in the pound, to save himself and family from perdition? A provincial assembly is very capable of determining upon what is most expedient for their own internal rule, what most advantageous to their trade; but when the great scheme of governing all the parts of an extensive community, when the relation in which they stand to this community is to be considered, then their capacities begin to narrow



narrow in my estimation, and they come to shew themselves in a sphere of debate, for which I can, by no means, think them qualified. Why, says an individual, fired with a wild spirit of liberty, shall I give up that power which nature has bestowed upon me, of acting and thinking for myself? Why, says an advocate for society, shall you be protected by society in your property and person, in the exercise of virtuous liberty, which is a power of doing, not what you will, but what you ought to will? If no individual then, may set up his single opinion and strong cravings for crude liberty, where social good is concerned, if he is not allowed to discern so clearly, whether these loud calls of nature, about which he makes so great a parade, may not interfere with, and obstruct some moral and social end; no more is any distinct part of an empire, intitled to carve for itself, and lay it down as an invariable maxim, that on no occasion whatsoever are they to be governed, by rules to which they have not consented; much respect, therefore, is due to the opinion of Great-Britain, in that material point of regulating a provincial defence, and whenever it shall be urged, that the Americans are most competent to judge of the quantity of taxation, or the method of applying the taxes, and that a want of provincial defence, must be more immediately and sensibly felt by

themselves, than by those who are far removed from the scene of American affairs; when they plead the great law of nature and of liberty, to any claim of Britain to superintend their affairs, I reply, the ideas of social liberty in diametrical opposition to their allegations, I aver, that they are not the most competent judges of the expediency of a domestick defence; and I establish my averment, by their having already shewn themselves incompetent, in never producing any one general plan for that purpose, from the peace of Utrecht to the war of 1756; insomuch, that altho' ten times the number of our enemy, they would have been absolutely driven off the continent, were it not for the seasonable interposition of England, and all this, from a peevish reluctance to associate and unite, a reluctance, to sacrifice a small part of their own will and pleasure, to peace and security, which reluctance, they are disposed to compliment, with the honourable appellation of liberty.

If then, the American colonies, have manifested a neglect to make the necessary provision for their own defence, and that Britain may suffer through this neglect, she is powerfully warranted in proceeding against a probability of any future situation of those colonies, so dangerous, so productive of heavy expence, as that we have lately beheld. It was, indeed, the duty of the colonies, to anticipate

anticipate the cares of the mother country, and make, after the example of Ireland, such a military establishment as may tend to discourage any attempts of an enemy, and not furnish, by their remissness, a British administration, with even an excuse for obtruding their kind offices upon them: they should consider the various and fluctuating nature of British councils; and that power, from the free nature of our government, may be sometimes in the hands of men, who are delighted in obliging and strengthening our enemies, in ill-treating and disgusting our friends, and who, when they accidentally engage in carrying even a necessary measure into execution, stumble upon some mode of doing it, which not only destroys every end and advantage which may arise from it, but is also productive of universal murmurs and dissatisfaction; but of all things, should they beware of beholding our ministerial blunders, in the light of national acts, and thence, perhaps, conceive a dislike or alienation of affection from their British fellow-subjects. The sense of this nation is neither unjust, unreasonable, or oppressive; but no human wisdom will, I fear, be ever able to secure us against falling sometimes into the hands of such wretches, as those who made the peace of Utrecht or of Versailles.

On the other side, my Lord, it must be admitted, that the mother country has not  
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entirely acquitted herself in the discharge of her parental offices. It is certainly the duty of those, whom Providence has commissioned by conferring great powers on them, for promoting the welfare of the human species, to watch and attend to the changes of circumstance, which must happen to all earthly things, and frame such institutions, as may answer (so far as human prudence can provide) to the variety of cases which may arise; new circumstances produce new systems. When a personal property began to grow considerable in England, our ancestors thought proper immediately to enact such laws, as might facilitate alienations; they had recourse to the civil codes, and thence they brought the statute of will of distributions, and adopted such a portion of the spirit of Roman jurisprudence, as may answer the exigency. But, with regard to colonies, so distinguished is Great Britain, so critically distinguished, by a complication, of naval, of landed, of commercial, of military considerations, from every ancient state; that institutions drawn from Tyre, from Carthage, from Rome, or from Rhodes, can never answer the present occasion; and legislature must investigate, thro' the walks of nature, morals of utility, and of present convenience, such truths as may afford a ground work for this necessary undertaking; our common law, revered with justice for its honest simplicity,

plicity affords no resources in so variegated a subject ; nor could our Gothick fore-fathers possibly foresee the astonishing turn, which this kingdom has taken to commercial adventure, since the reign of Henry the Seventh, occasioned by a most unexpected event, the discovery of a new world ; they could not foresee the emigration of colonies to this new world, and could, therefore, never think of framing any calculation for such a contingency : why, then, look into the laws in being, for any aids upon this occasion ? A plausible and sagacious lawyer, may discover something in his books analogous, or what he thinks, and would persuade the world is analogous to the case of our colonies, proposed to him for serious consideration ; he fancies it a corporation, for instance, and from henceforth, every American question, comes to be examined by principles laid down for directing a corporate legislature ; that is, because a British corporation has delegated their natural original right of legislature, to those who represent them in parliament, and thereby vested in that assembly, a power of controuling their corporate acts : our colonies, therefore, who not being called upon, make no returns of members to the British parliament, are subject to a like controul, this is not reason, either plain or refined, either natural or artificial, and therefore cannot be law ; in truth, the  
 opinions

opinions of the gentlemen of the long robe, are not to be admitted, in an affair, so much above their level,\* for this would, indeed, be an erecting of courts, intended for explication of the laws in being, into actual legislatures; a power, very lately rejected by, perhaps, one\* of the wisest and most modest judges, that ever adorned a bench; and, in a case, where the exercise of such a power would be readily excused, being in vindication of the liberty of the subject. But, my Lord, the laborious strainings of our lawyers, in applying their learning to American affairs, will never produce any thing adequate to this grand occasion; our colonies are insensibly grown into a respectable importance, and demand the most solemn consideration of legislature, of wise, of honest legislature; and, I am persuaded, that the present matter deserves treaties, commissioners, and every other solemnity, preceding the act which united these kingdoms; we should conciliate the good-will of our fellow-subjects, who live at a distance, as warmly as that of those who are nearer home, provoke neither to resentments, by injury or oppression, but ever remember, that Egina and Æubea were easily brought to a sense of duty, by the Athenians, whenever they became turbulent; but

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\* Judgment delivered by Lord Camden, in the case of Entick and the Messengers, last day of Michaelmas term, 1765.

when



when they carried their arms against Greeks, who were more distant, the ruin of their power was the immediate consequence, and their greatness expired at Syracuse\*.

Had Britain been blessed with a continuance of that administration, which carried her military glory to so exalted an height, in the last war, had that ministry, I say, been permitted to conclude a sound and healthy peace; upon that firm basis, by such able political builders, would have been raised a pile, composed of all our colonies and dependencies, whose strength, beauty, and magnificence, would be the envy and admiration of the world; these wise and virtuous patriots, would have shewn talents for peace, equal to those they had displayed for war, and our conquests, instead of being the cause of dissentions and animosities, between his Majesty's loyal subjects, would long since have turned to great and lasting account: commissioners would be formally appointed to examine minutely into the state of our colonies; a proper method taken for raising supplies to answer the expences of government; taxations be laid, in a manner, the least grievous to the subject, and most consistent with social liberty; in short, that gradual assimilation with the mother country, so much to be desired by all its descendants, would be at length brought about;

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\* The Syracusans were a Dorick colony.

for though war is the season of danger, yet, is it very easily demonstrated, that the minister of peace is as much above the minister of war, as the ends are more worthy than the means; that is, when the great and necessary works of peace are properly attended to ; but when peace is made, in order to generate matter for new war ; then, indeed, the artful wretch, who can deceive his king, corrupt, debase, and oppress the people, will answer every purpose ; no necessity for integrity or wisdom remains, where cunning and deceit are found to be all-sufficient.

*I am,*

*My LORD, &c.*



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